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Message Text

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ORIGIN EUR-12

INFO OCT-01 IO-10 ISO-00 L-02 SSO-00 NSCE-00 INRE-00

CIAE-00 PM-03 INR-07 ACDA-05 NSAE-00 PA-01 RSC-01

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O P 231556Z JAN 75
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TO AMEMBASSY BONN IMMEDIATE
INFO USMISSION USBERLIN PRIORITY
AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY MOSCOW
USMISSION NATO
AMEMBASSY BERLIN
USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 015938

E.O. 11652: GDS
TAGS: PFOR, WB, US, UK, FR, UR, GW

SUBJECT: REPLY TO SOVIET UN REPLY TO ALLIED STATEMENTS ON BERLIN

REF: BONN 807

1. DEPARTMENT FINDS ARGUMENTS ADVANCED REFTEL AGAINST UK PROPOSAL FOR FURTHER "HARD HITTING" REPLY TO SOVIET NOTE ON BERLIN TO BE PERSUASIVE. ALLIED AND FRG VIEWPOINT ON BERLIN DESIGNATIONS IN UN HANDBOOK AND ON CONTINUING FOUR
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POWER STATUS OF BERLIN ARE CLEARLY ON RECORD IN UN AND WE

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SEE LITTLE TO BE GAINED BY CONTINUING ARGUMENT. WE AGREE THAT ESOTERIC AND COMPLEX ALLIED LEGAL ARGUMENTS ON BERLIN ARE LESS LIKELY TO BE UNDERSTOOD BY UN THIRD COUNTRY MEMBERS THAN SOVIET POSITION THAT IT IS "OBVIOUS" THAT EAST BERLIN IS CAPITAL OF GDR, AND PROLONGED EXCHANGE THUS UNLIKELY TO FAVOR ALLIES.

2. EMBASSY ACCORDINGLY SHOULD CONTINUE TO PRESS IN BONN GROUP FOR SHORT ALLIED REPLY DESIGNED TO BRING MATTER TO A CLOSE. ONE WAY TO DO THIS MIGHT BE TO CONFINE REPLY TO REFERENCE TO EARLIER ALLIED POSITIONS AND TO FURTHER PARAGRAPH DIRECTLY REPLYING TO SOVIET STATEMENT. THIS

PARAGRAPH WOULD NOTE THAT EXISTING FOUR POWER AGREEMENTS ESTABLISHED A QUADRIPARTITELY OCCUPIED BERLIN AREA DISTINCT FROM THE ZONES OF OCCUPATION, THAT AS CLEARLY PROVIDED IN FOUR POWER AGREEMENTS, CHANGES IN THE STATUS OF BERLIN MUST HAVE THE AGREEMENT OF ALL FOUR POWERS; AND THAT UNILATERAL MEASURES TAKEN BY THE USSR WITH REGARD TO EASTERN SECTORS OF BERLIN AND THE LOCATION THERE OF GDR GOVERNMENTAL AGENCIES ACCORDINGLY ARE NOT LEGALLY SUFFICIENT TO MODIFY FOUR POWER STATUS OF WHOLE CITY.

3. IF BONN GROUP AGREEMENT CAN NOT OTHERWISE BE REACHED, WE WOULD BE PREPARED TO CONSIDER SOME ADDITIONAL LANGUAGE TO ACCOMODATE GERMAN DESIRE FOR HISTORICAL ELABORATION OF FACTS, PROVIDED THIS KEPT TO CONCISE, FACTUAL AND DISPASSIONATE PRESENTATION. KISSINGER

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